

The UN Security Council and Counterterrorism 21 Years after 9/11: Why a Paradigm Shift Is Needed

by Naureen Chowdhury Fink, Alistair Millar, and Eric Rosand

This past weekend marked the 21st anniversary of the terrorist attacks that fundamentally transformed the international security and wider multilateral landscape. It spawned an ecosystem of international, regional, and national counterterrorism (CT) bodies and initiatives which have only proliferated in the years since, attracting [trillions of dollars](#). The United Nations Security Council (UNSC), because of its ability to create globally binding legal obligations quickly and decisively, was a key catalyst for this growth and for the treatment of terrorism by its members as an “exceptional” threat requiring an exceptional response. However, many of the states that spearheaded the heightened focus on counterterrorism now face a number of challenges that are seen as equally, if not more, pressing. These include climate change, food insecurity, revived “Great Power” competition, COVID-19, the unlawful Russian invasion of Ukraine, democratic erosion, and persistent instability and conflict in a number of regions. Given these competing priorities, the volume and scope of legal and policy measures put in place in response to terrorism has prompted [questions](#) on how to “right-size” the approach to ensure it is fit-for-purpose to address current and future iterations of terrorism, informed by lessons learned.

AN “EXCEPTIONALIZED” RESPONSE TO AN UNDEFINED THREAT

Since it famously first [declared](#) terrorism a threat to international peace and security on September 12, 2001, the Council has adopted more than 40 counterterrorism resolutions and created several committees and expert bodies to oversee their implementation. It did all of this without ever defining “terrorism” – a term which remains highly politicized and contested. It was left to each country to define the target of its CT measures.

Security Council [Resolution 1373](#) is the most far reaching and consequential component of the Council’s response, requiring that all UN member states criminalize terrorism, prevent terrorists from crossing their borders, deny terrorists financial resources, and either bring terrorists to justice in their own domestic courts or extradite them to other countries. By mandating states to utilize a distinct set of “CT” tools,

frameworks, and institutions, the UNSC helped mainstream a practice that continues, in which terrorism is treated differently than other peace and security issues, including those on the Council's agenda.

THE COUNCIL'S GLOBAL CT INFLUENCE/LEGACY

The Security Council helped persuade scores of countries to adopt CT laws and measures, create CT institutions, and develop CT expertise, all ostensibly in line with the Council's requirements. Recognizing that many states lacked the tools to implement the ever-increasing number of Council CT requirements, it helped elevate technical assistance and capacity-building as a global CT priority and identify gaps in countries' CT capabilities that required attention. Further, it successfully encouraged regional and sub-regional bodies around the world to prioritize CT, in particular the implementation of Council CT requirements among their members.

MOVING BEYOND AN EXCEPTIONALIZED APPROACH AND ENHANCING IMPACT: CAN THE COUNCIL LEAD?

Despite the Council's significant investment in counterterrorism there has to date been no independent review of outcomes or impacts, particularly on the ground and through the lens of actors and communities most affected by this evolving terrorist threat. This lacuna has contributed to an environment where the misuse of CT measures (often developed to comply with Council requirements) goes unchecked while many states use the CT narrative while violating human rights, shrinking civil society space, and undermining civil liberties.



The Securing the Future Initiative (SFI) was launched on the 20th anniversary of the 9/11 attacks to review the Council's counterterrorism efforts during the past two decades and offer recommendations to "right-size" its approach.

MORE LOCAL, LESS GLOBAL; MORE CONFLICT PREVENTION, LESS COUNTERTERRORISM

A number of recurrent themes surfaced during SFI consultations that included 500 government representatives, UN officials, researchers, and civil society organizations: five, in particular, stand out.

First, interlocutors pointed to a disconnect in the Council’s approach. Unlike on September 12, 2001, when the primary terrorist threat emanated from a centralized terrorist group with global ambitions targeting the “West”, groups such as AQ, ISIS, and their affiliates are now increasingly aligning with local armed groups and taking advantage of governance deficits, human rights violations, and wider instability. They are broadening geographically as they strengthen their presence in conflict-ridden regions, such as the Sahel, and make inroads into Southern and coastal West Africa and South Asia.

Addressing these threats necessitates addressing the grievances of these local populations; integrating counterterrorism within wider conflict prevention, peacebuilding, and development efforts and looking beyond capitals to empower local actors; and recognizing the extent to which the behavior of national governments towards their citizens can drive radicalization that can lead to violence.

Yet the Council maintains an approach to CT that is too far removed from these developments and siloed from wider UN efforts. Its members continue to view terrorism as “exceptional”, which impedes efforts to move towards a more integrated approach to mitigating the threat, and to prioritize the security dimensions of the response. Meanwhile, it encourages states to do the same. This has contributed to the over-securitization of the response in some contexts. This anachronistic framework limits the Council’s effectiveness in addressing terrorist threats as they exist today.

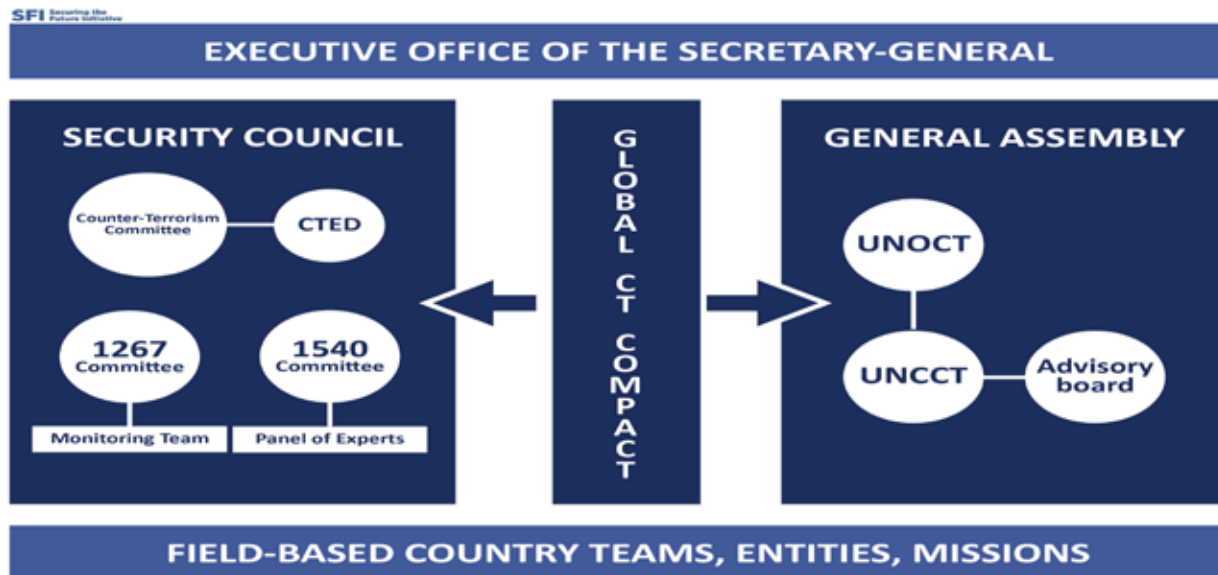
ADOPT A “DO NO HARM” APPROACH

Second, SFI interlocutors voiced concerns over the increasing use of Council measures to legitimize or enable the misuse of national CT measures that violate human rights, lamenting that the Council has only adopted cursory rhetorical measures to mitigate this risk. While the Counter-Terrorism Committee (CTC) and Counter-Terrorism Committee Executive Directorate (CTED) have focused more attention on [human rights](#) over the past 20 years, there is little public evidence of impact; in fact, the trend-line in terms of human rights-compliant CT measures is going in the wrong direction. Although there are many reasons for this trend, neither the Council nor any part of its CT architecture has ever called out a state publicly for misuse of CT measures required by its resolutions. As a result, the Council faces an accountability deficit (one which exists beyond the scope of counterterrorism) as it presses countries to implement its CT measures but has yet to try to operationalize, let alone develop, a framework to hold states accountable for implementation shortfalls.

LESS OPACITY AND MORE OPENNESS

Third, several government and non-government stakeholders voiced concern that non-Council members (including states and civil society) have little opportunity for meaningful engagement with the Council CT architecture as it develops resolutions and assesses implementation on the ground. Of particular concern is the confidential nature of the CTC assessments, which allow little space for non-members to provide input into or benefit from them. That said, there has recently been some progress in making the Council’s work in this area [somewhat more transparent](#). This includes more Council CT events in New York that are open to the wider UN membership, more opportunities for civil society actors to engage with

the Council's CT architecture, and allowing UN entities to access (at least a portion of) CTED's country assessments.



However, many SFI interlocutors noted that serious challenges remain. Some elected UNSC members have voiced frustrations at their circumscribed involvement in the development of UNSC CT products. Moreover, the Council's lack of engagement with a diversity of civil society and other local actors during the development of and supervision over the implementation of its CT framework leaves it somewhat blind to the potential and actual effects of such resolutions on the ground. Those parts of the UN system that are engaged with or impacted by the Council's expanding CT actions, including OCHA, PBSO, UN WOMEN, UNHCR, UNICEF, UNDP and OHCHR, lack sufficient opportunities to inform the development of Council CT resolutions.

THE MULTILATERAL CT ARCHITECTURE HAS EVOLVED: CAN THE COUNCIL ADAPT?

Fourth, interlocutors also pointed to the Council's failure to adapt to an [expanding](#) multilateral CT architecture (including within the UN itself) that the Council catalyzed. We heard how the proliferation of multilateral CT bodies and their siloed nature, starting with the UN itself and extending to other intergovernmental actors, has strained the engagement and absorption capacities of smaller states, in particular.

Finally, we heard that the global CT measures elaborated by the Council do not always apply to more localized or regional threat groups. More attention is therefore needed to tailor and contextualize these measures with relevant local partners.

THE WAY FORWARD?

The SFI report, to be launched later this month, offers a menu of recommendations to address these concerns and to build on progress made to date. It seeks to encourage greater emphasis on assessing the effectiveness and impacts of counterterrorism measures, to ensure they cannot be instrumentalized to undercut the very principles and purposes of the United Nations, and to underscore the continued importance of multilateral and wider international collaboration and cooperation in addressing terrorist threats in 2022 and beyond.

Just as it helped to reshape the global CT architecture and framework for what became the “9/11 era”, the Council must once again recalibrate its approach. In doing so, the Council needs to take into account how the threat and our understanding of how to most effectively address it has changed. What’s more, it must also inspire other multilateral bodies and national governments to follow suit.

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The above are the co-leads of the Securing the Future Initiative, which is supported by the European Union and the Governments of Germany, The Netherlands, and Switzerland. The views expressed in this article are those of the authors and do not necessarily reflect those of SFI or RESOLVE supporters or partners.

The RESOLVE Network and the Securing the Future Initiative are collaborating on a series of research briefs commissioned by SFI and published by RESOLVE, as well as a series of public and private events. The first two in the series of research briefs have been published and can be viewed [here](#) and [here](#).

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